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17 August 1955

MEMORANDUM OF UNDERSTANDING

SUBJECT: Procedures for Notification to Individual of Disqualification
for Employment1. Scope

The principles and procedures described in this memorandum relate to the notification to individuals, either applicants or employees, concerning the fact of their disqualification for staff employment. In addition to the notification procedure outlined herein, such other procedures as may be required by law or regulation to accomplish separation under the circumstances of each case will be applied.

2. Principles

a. The Director of Personnel is responsible for notifying individuals, either applicants or employees, of disqualification for employment. Although such disqualification may be for medical, security or other reasons, the formal notification to the individual will not reveal the specific reasons therefor unless formal charges are to be made against the individual.

b. The Director of Security and the Chief, Medical Staff, are responsible for advising incumbent employees of the reason for their disqualification on security or medical grounds, respectively, if such action is deemed appropriate.

3. Medical Disqualificationsa. Applicants

(1) The Chief, Medical Staff, will forward recommendations for medical disqualification to the Director of Personnel for appropriate administrative action.

(2) The Medical Staff will advise the individual or, upon his request, his personal physician of the reasons for his disqualification when, in the opinion of the Medical Staff, it is vital to the individual or to the public health that such information be given.

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b. Employees

(1) The Chief, Medical Staff, will forward recommendations for medical disqualification to the Director of Personnel for appropriate administrative action with a copy to the appropriate operating official.

(2) Professional findings and recommendations will be discussed with the employee or, if he or his properly designated representative requests it, with his personal physician. Such discussion will take place either prior to or concurrently with the forwarding of the recommendation for disqualification.

k. Security Disqualifications

a. Applicants

The Director of Security will advise the Director of Personnel in writing of all security disapprovals of applicant cases. Under no circumstances will the applicant be advised of the security disapproval but he will be sent a routine reject letter by the Director of Personnel.

b. Employees

(1) When adverse security information is developed during entrance on duty processing, the Office of Security will verbally advise the Office of Personnel to place the individual in a "hold" status. If upon appraisal, the information is insufficient to require further action, the "hold" will be released by a telephone call to the Office of Personnel from the Office of Security. If upon appraisal, it becomes necessary to take security action the individual will be personally contacted by an Office of Security representative and advised that he will be subject to adverse administrative action. If the individual elects to submit a voluntary resignation, he will be referred to the Office of Personnel where his resignation will be accepted for "personal reasons." The Office of Personnel will be advised of his desire to resign in order that he may be permitted to do so without efforts to retain him. If the individual does not elect to resign, his case will be referred to the Director's Office for appropriate administrative action.

(2) Whenever it becomes necessary to security to disqualify an incumbent employee, the employee will be contacted directly by the Office of Security and will be interviewed and advised that adverse administrative action is pending. If the individual chooses to resign, he will be

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permitted to handle this matter personally in a routine manner through his division. The Director of Security will advise the Director of Personnel in confidence of the individual's intention to resign. If the individual refuses to resign, his case will be prepared and forwarded to the Director's Office for appropriate administrative action.

5. Notification by Office of Personnel

a. Applicants

Upon receipt of recommendation for disqualification of an applicant for employment for security, medical, or other reasons, the Office of Personnel will inform the sponsoring official, if any, of the disqualification to determine whether he desires further review of the case. When a decision has been approved to cancel processing, the Office of Personnel will appropriately notify the individual.

b. Employees

Upon receipt of recommendation for disqualification of an employee for security, medical, or other reasons, the Office of Personnel will inform the employee's senior supervisor to determine whether he desires further review of the case. When a decision to separate the employee has been reached, the Office of Personnel will appropriately notify the individual of this fact and of the general nature of the reasons (security, medical, or other) and advise him as to how further amplification may be arranged through the Office of Security, Medical Staff, or other office, as appropriate. The Office of Personnel will ensure that the separation action is effected in compliance with applicable laws, rules and regulations.

6. General Counsel

General Counsel

Director of Security

Director of Personnel

Chief, Medical Staff